

ARTICLE II

DEFINITIONS

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2.010 SCOPE

For the purpose of this ordinance and in order carry out the provisions and intentions as set forth herein, certain words, terms, and phrases are to be used and interpreted as follows:

- A. The word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
- B. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.
- C. The word "shall" is mandatory.
- D. The word "may" is permissive.
- E. The words "used" or "occupied" includes the words "intended", "designed", or "arranged to be used" or "occupied".
- F. The word "lot" includes the words "plot" or "parcel".

2.020 DEFINITIONS

The following words, terms, and phrases are hereby defined as follows and shall be interpreted as such throughout this ordinance. Terms not herein defined shall have their standard dictionary definitions or such as the context may imply.

ACCESS: The right to cross between public and private property, thereby permitting pedestrians and vehicles to enter and leave property.

ACCESSORY BUILDING: A subordinate building, the use of which is incidental to that of a principal building and located on the same lot therewith.

ACCESSORY USE: A use customarily incidental, appropriate, and subordinate to the principal use of land or buildings and located upon the same lot therewith.

ADULT ORIENTED BUSINESS - A commercial enterprise that offers as its principal or predominant stock or trade sexually oriented material, devices, or paraphernalia or specified sexual activities or any combination or form thereof, whether printed, filmed, recorded or live and which restricts or purports to restrict admission to adults or to any class of adults. "Adult Oriented Business" includes, but is not limited to:

- A. **Adult Book Stores** which means any corporation, partnership or business of any kind which has as its principal or predominant stock in trade books, magazines or other periodicals and which offers, sells or rents for a fee:
 - 1. Any sexually-oriented material which is available for viewing by patrons on the premises by means of the operation of movie machines or slide projectors; or
 - 2. Any sexually-oriented material which has a substantial portion of its contents devoted to the pictorial depiction of sadism, masochism or bestiality; or
 - 3. Any sexually-oriented material which has as its principal theme the depiction of sexual activity by, or lascivious exhibition of, the uncovered genitals, pubic region or buttocks of children who are or appear to be under eighteen (18) years of age.
- B. **Adult Motion Picture Theaters** which means an enclosed building used for presenting films which are distinguished by an emphasis on matter depicting, describing or relating to specified sexual activities for observation by patrons therein; and
- C. **Adult Shows or Adult Peep Shows** which includes all adult shows, exhibitions, performances or presentations which contain acts or depiction's of specified sexual activities.

SEXUALLY ORIENTED MATERIAL - Means any book, article, magazine, publication or written matter of any kind, drawing, etching, painting, photograph, motion picture film or sound recording which depicts sexually activity, actual or simulated, involving human beings or animals, or which exhibits uncovered human genitals or pubic region in a lewd or lascivious manner or which exhibits male genitals in a discernibly turgid state is completely uncovered.

ADVERTISING: Includes any writing, printing, painting, display, emblem, drawing, sign, or other device designed, used or intended for advertising, whether placed on the ground, rocks, trees, tree stumps, or other natural structures or on buildings, structures, milestones, signboards, wallboard, roofboard, frames, supports, fences or other man-made structure, and such advertising is a structure within the meaning of the word "structure" as utilized in this ordinance.

ALLEY: A minor right-of-way, dedicated to public use, which affords a secondary means of vehicular access to the back or side of properties otherwise abutting a street, and which may be used for public utility and public service purposes.

ALTERATION: As applied to a building or structure, means a change or rearrangement in the structural parts, or an enlargement, whether by extending a side or by increasing its height or structural changes, other than repairs, that would affect safety. The term "alter" in its various modes and tenses and its practical forms, refers to the making of an alteration.

AUTOMOBILE WRECKING: The dismantling, storage, sale or dumping of used motor vehicles, trailers, or parts thereof.

AUTOMOBILE WRECKING, JUNK, AND SALVAGE YARDS: Any lot or place which is exposed to weather and upon which more than two (2) motor vehicles of any kind, incapable of being operated, and which it would not be economically feasible to make operative, or which are discarded or junked are placed, located, or found.

AVERAGE GROUND ELEVATION: The elevation of the mean finished grade at the front of a structure.

BASEMENT: A story partly or wholly underground. For purposes of height measurement, a basement shall be counted as a story when more than one-half (1/2) of its height is above the average ground elevation or when subdivided and used for commercial activities.

BED AND BREAKFAST HOME RESIDENCE: A residence within which not more than three (3) sleeping rooms (limited to three (3) persons or one (1) family unit per room) are provided for occasional paying guests on an overnight basis for periods not to exceed fourteen (14) consecutive days in any thirty (30) day period of time, with breakfast being available on the premises. A bed and breakfast home is allowed only in a building originally constructed as a one (1) family dwelling subject to the provisions prescribed in the zone district where in the use is located.

BOARD: "The Pleasant View, Tennessee, Board of Zoning Appeals.

BUFFER STRIP: A greenbelt planted strip not less than ten (10) feet in width. Such a greenbelt shall be composed of one (1) row of evergreen trees spaced not more than forty (40) feet apart and not less than two (2) rows of shrubs or hedges, spaced not more than five (5) feet apart and which grow to a height of five (5) feet or more after one (1) full growing season and which shrubs will eventually grow to not less than ten (10) feet.

BUILDING: Any structure having a roof supported by columns or by walls, including tents, lunch wagons, dining cars, mobile homes, and similar structures, whether stationary or movable.

BUILDING AREA OF A LOT: That portion of a lot bounded by the required rear yard, side yards, and the building setback line.

BUILDING INSPECTOR: The Building Inspector for the Town of Pleasant View.

BUILDING, MAIN OR PRINCIPAL: A building in which is conducted the principal use of the lot on which it is situated. In any residential district, any dwelling shall be deemed to be a main building on the lot on which it is situated.

BUILDING SETBACK LINE: A line delineating the minimum allowable distance between the property line and a building on a lot, within which no building or other structure shall be placed, except as otherwise provided.

BUILDING SETBACK LINE, FRONT: A line delineating the minimum allowable distance between the street right-of-way has been established, from that future street right-of-way line, and the front of a building on a lot. The front building setback line extends the full width of the lot and is parallel to or concentric with the street right-of-way.

BUILDING SETBACK LINE, REAR: A line delineating the minimum allowable distance between the rear property line and a building on a lot (other than for permitted accessory structures). The rear setback line extends the full width of the lot.

BUILDING SETBACK LINE, SIDE: A line delineating the minimum distance between the side property line and a building on a lot. The side setback line extends from the front building setback line to the rear building setback line.

CLINIC: See MEDICAL FACILITY.

COVERAGE: The lot area covered by all buildings located therein, including the area covered by all overhanging roofs.

DAY CARE CENTER: Any place, home, or institution, which receives eight (8) or more young children, conducted for cultivating the normal aptitude for exercise, play observation, initiation, and construction.

DEVELOPMENT: Any manmade change to improve or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavating or drilling operations. Agricultural activities such as plowing or cultivating and gardening activities are not included in this definition of development.

DISTRICT: Any section or sections of the area lying within Pleasant View, Tennessee, for which the regulations governing the use, density, bulk, height, and coverage or buildings and other structures are in force.

DWELLING: A building or part thereof used as a habitation under one of the following categories:

- a. Single detached dwelling means a building and accessories thereto principally used, designed, or adapted for use by a single family.
- b. Duplex dwelling means a building and accessories thereto principally used, designed, or adapted for use by two (2) families the living quarters of each of which are completely separate.

- c. Apartment dwelling means a building and accessories thereto principally used, designed, or adapted for use as occupancy by four (4) or more families each of which has separate living quarters. This includes triplexes and quadruplexes.
- d. Rooming house means a building and accessories thereto principally used, designed, or adapted to provide living accommodations for not more than six (6) occupants and without owner-provided cooking and dining facilities.
- e. Boarding house means a building and accessories thereto principally used, designed, or adapted to provide living accommodations for not more than six (6) occupants and having common cooking and dining facilities.
- f. Town house means a residential structure containing four or more single nondetached dwelling units separated by a common vertical wall.
- g. Condominium means an apartment building or townhouse containing four (4) or more dwelling units being under or intended for separate ownership for each household living accommodations.
- h. Multi-family means a townhouse or apartment dwelling.
- i. Triplex dwelling means units designed for use by three (3) families located on the same tract in one ownership.
- j. Quadruplex dwelling means four units designed for use by four (4) families located on the same tract in one ownership.
- k. Prefabricated dwelling means a single detached dwelling constructed primarily off-site, designed to be transported on a flat-bed truck or trailer, provided that it is installed on a permanently enclosed concrete or masonry foundation, with sewer and water connections designed for permanent connection to municipal or on-site systems, and permanently connected to such systems. Such structures are distinguished from mobile homes as described elsewhere in this ordinance when they have a minimum gross floor area of six hundred (600) square feet and have no horizontal exterior dimensions of less than fifteen (15) feet not including porches or carports. When such a structure meets the above-stated requirements it shall qualify as a single detached dwelling.
- l. Mobile home or trailer means a detached one-family dwelling with all the following characteristics:
 - 1. Designed for long-term occupancy, and containing sleeping accommodations, a flush toilet, a tub or shower bath, and kitchen facilities with plumbing and electrical connections provided for attachment to outside systems.

2. Constructed as a single self-contained unit and mounted on a single chassis transportable after fabrication on its own wheels or detachable wheels.
3. Arriving at the site where it is to be occupied as a dwelling complete, including major appliances and furniture, and ready for occupancy except for minor and incidental unpacking and assembly operations, location of foundation supports, connections to utilities and the like.

Mobile home dwellings do not include camping trailers, commercial mobile structures, motor homes, recreational vehicles, travel trailers, truck campers or similar units designed to provide temporary living quarters.

FAMILY: One or more persons occupying a single unit, provided that unless all members are related by blood or marriage, no such family (excepting as set forth below shall contain over five (5) persons, but further provided that domestic servants employed on the premises may be housed on the premises without being counted as a family or families, and that four (4) or less boarders, including roomers, may be accommodated. The term "family" shall not be construed to mean a fraternity, sorority, club, or institutional group. The term family, as used in this ordinance, shall be construed include groups of eight (8) or fewer unrelated mentally retarded or physically handicapped persons and with two (2) additional persons acting as houseparents or guardians who need not be related to each other or to any of the mentally retarded or physically handicapped persons residing in the house. See Chapter 24, of Title 13, Tennessee Code.

GRADE, FINISHED: The completed surfaces of lawns, walks, and roads brought to grades as shown on official plans or designs relating thereto.

HEALTH DEPARTMENT: The Cheatham County Health Department.

HEIGHT OF BUILDING OR STRUCTURES: The vertical distance from the average ground elevation or finished grade at the building line, whichever is the highest to the highest point of the building or structure.

HOME OCCUPATION: See Section 4.040.

HOSPITAL: See MEDICAL FACILITIES.

INCIDENTAL ALTERATIONS: Changes or replacements in the nonstructural parts of a building or other structures without limitations to the following examples:

- A. Changes or replacements in the nonstructural parts of a building or other structure without limitations to the following examples:
 1. Alteration of interior partitions to improve livability in a nonconforming residential building, provided that no additional dwelling units are created;

2. A minor addition to the exterior of a residential building, such as an open porch;
 3. Alterations of interior non-load-bearing partitions in all other types of buildings or other structures.
 4. Replacement of, minor change in, capacity of utility pipes, ducts or conduits; or
- B. Changes or replacements in the structural parts of a building or other structure limited to the following examples or others of similar character or extent:
1. Making windows or doors in exterior walls;
 2. Replacement of building facade having nonload-bearing capacity;
 3. Strengthening the floor load-bearing capacity, in not more than ten (10) percent of the total floor area, to permit the accommodation of specialized machinery or equipment.

JUNK YARD OR SALVAGE YARD: A lot, land or structure, or part thereof, used primarily for the collecting, storage and sale of waste paper, rags, scrap metal, or discarded material; or for the collecting, dismantling, storage and salvaging of machinery or vehicles not in running condition or for the sale of parts thereof.

LANDSCAPING: The planting and maintenance of trees, shrubs, lawns, and other ground cover or materials, provided that terraces, fountains, retaining walls, street furniture, sculptures, or other art objects, and similar accessory features may be included as landscaping if integrally designed.

LOADING SPACE: An area twelve (12) feet by fifty (50) feet with a fourteen (14) foot height clearance providing for the standing, loading, or unloading of a truck or other vehicle.

LOT: A piece, plot, or parcel of land in one ownership which may include one (1) or more lots of record, occupied or to be occupied by one (1) principal building and its accessory buildings, including the open space required under this ordinance.

LOT, AREA: The total surface land area included within lot lines.

LOT, CORNER: A lot of which at least two (2) adjoining sides abut their full lengths on a street, provided that the interior angle at the intersection of two (2) such sides is less than one hundred-thirty-five (135) degrees.

LOT, DEPTH: The average distance from the street line of the lot to its rear line, measured in the general direction of the side lines of the lot.

LOT, FRONTAGE: That dimension of a lot or portion of a lot abutting on a street, excluding the side dimensions of a corner lot.

LOT, INTERIOR: A lot other than a corner lot.

LOT LINES: The boundary dividing a given lot from the street, an alley or adjacent lots.

LOT OF RECORD: A lot which is part of a subdivision recorded in the office of the county register of deeds, or a lot described by metes and bounds, the description of which has been recorded in the office of the county register of deeds prior to the effective date of this zoning ordinance.

LOT WIDTH: The width of a lot at the building setback line measured at right angles to its depth.

MEDICAL FACILITIES:

- A. **Convalescent, Rest or Nursing Home** - A health facility where persons are housed and furnished with means and continuing nursing care for compensation.
- B. **Dental Clinic or Medical Clinic** - A facility for the examination and treatment of ill and afflicted human out-patients, provided, however, that patients are not kept overnight, except under emergency conditions.
- C. **Hospital** - An institution providing health services primarily for human in-patient medical care for sick or injured and including related facilities such as services, and staff offices which are an integral part of the facility.
- D. **Public Health Center** - A facility utilized by a health unit for the provision of public health services.

MOBILE HOME PARK: Any area, tract, site or plot of land whereupon three (3) or more mobile homes as herein defined are placed, located or maintained in single ownership for rental purposes, and shall include all accessory buildings used or intended to be used as part of the equipment thereof.

NONCOMPLYING:

- A. Any lawful building or other structure which does not comply with any one (1) or more of the applicable bulk regulations, or
- B. Any lawful use other than a nonconforming use, which does not comply with any part of any one (1) or more of the applicable regulations pertaining to:
 - 1. Location along district boundary;
 - 2. Signs; or
 - 3. Accessory off-street parking and loading;either on the effective date **March 7, 1976**, or as a result of any subsequent amendment to the zoning ordinance.

NONCONFORMING USE: A lawful use of a building or other structure or of a tract of land which does not conform to any one (1) or more of the applicable use regulations of the district in which it is located, either on the effective date of **March 7, 1976**, or as a result of any subsequent amendment to the zoning ordinance.

NOXIOUS MATTER: Material in gaseous, liquid or solid form which is capable of causing injury to living organisms, chemical reactions, or detrimental effects upon the social, economic or psychological well-being of individuals.

OPEN SPACE: An area on the same lot with a main building which is open, unoccupied and unobstructed by structures from the ground to the sky, except as otherwise provided in this ordinance.

PARKING LOT: An off-street facility including parking spaces with adequate provisions for drives and aisles for maneuvering and obtaining access, and for entrance and exit.

PARKING SPACE: An off-street space available for parking one (1) motor vehicle and having an area of not less than one hundred-sixty-two (162) square feet exclusive of passageways and driveways giving access thereto, and having access to a street or alley.

PLANNING COMMISSION: The Pleasant View Municipal Planning Commission.

PLAT: A map, plan, or layout indicating the location and boundaries of individual properties.

PRINCIPAL USE: The specific primary purpose for which land or a building is used.

RIGHT-OF-WAY: The minimum right-of-way on all streets shall be fifty (50) feet which measures twenty-five (25) feet from the center line. On all collector streets, the right-of-way shall be thirty (30) feet from the street center line. On all arterial streets, the right-of-way shall be a minimum of forty (40) feet on each side of the street center line. Collector and arterial streets are shown on the official Major Thoroughfare Plan of Pleasant View. The outer boundary of the right-of-way is contiguous with any property line abutting the street.

ROADWAY: The actual road surface, including necessary road shoulders and drainage facilities, including ditches and curbs and gutters, which is used to transport motor vehicles.

SANITARY LANDFILL: An area or site utilized by a public or private entity for disposal of solid waste or refuse in a manner which meets the regulations imposed upon the operation and maintenance of sanitary landfill sites by the State Department of Environment and Conservation.

SEMI-TRAILER: A vehicle without motive power, factory or reconstructively designed, to be drawn on highways by a motor vehicle (primarily, a truck tractor) and so built that some part of its weight and that of its load rests upon the towing vehicle when attached; the semi-trailer can be unhitched and stored or parked separately when attached to motive power, and may or may not be loaded while parked.

SHELTER, FALL OUT: A structure or portion of a structure intended to provide protection to human life during periods of danger from nuclear fall-out, air raids storms, or other emergencies.

SIGN, BILLBOARD, OR OTHER ADVERTISING DEVICE: Any structure or part thereof or device attached thereto, or represented thereon, which shall display or include any letter, words, model, banner, flag, pennant, insignia, or any representation used as, or which is in the nature of, an announcement, direction or advertisement. The word "sign" includes the word "billboard, posterboard" or any other type of advertising device, but does not include the flag, pennant, or insignia of any nation, state, city, or other political unit.

Advertising Sign: A sign which directs attention to a business commodity, service or entertainment conducted, sold or offered elsewhere than on the premises and only incidentally on the premises if at all. (Off-Premises Sign)

Billboards: A type of advertising sign having more than one hundred (100) square feet of display surface which is either erected on the ground or attached to or supported by a building or structure.

Business Sign: A sign which directs attention to the business or profession conducted on the premises.

Flashing Sign: Any illuminated sign, whether stationary, revolving, or rotating, which exhibits changing light or color effects, provided that revolving or rotating signs which exhibit no changing light or color effects other than those produced by revolution or rotation, shall be deemed flashing signs only if they exhibit sudden or marked changes in such light or color effects.

Ground Sign: A sign supported by a pole, uprights, or braces on the ground.

Illuminated Sign: A sign designed to give forth any artificial light or reflect such light from an artificial source.

Indirect Illumination Sign: A sign relating to a product, service, or establishment that is not on the premises on which the sign is located.

Marquee Sign: A projecting sign attached to or hung from a marquee and said marquee shall be known to mean a canopy or covered structure projecting from and supported by a building, when such canopy or covered structure extends beyond the building, building line, or property line.

Off-Premises Sign: A sign relating to a product, service, or establishment that is not on the premises on which the sign is located.

On-Premises Sign: A sign relating to a product, service, or establishment that is on the premises on which the sign is located.

Pole Sign or Banjo Sign: A type of ground sign at least ten (10) feet above the ground supported on a single post or pole most commonly associated with gasoline service stations.

Roof Sign: A detached sign supported upon the roof or wall of a building.

Temporary Sign: Temporary signs shall include any sign, banner, pennant, valance, or advertising display constructed of wood, metal, cloth, canvas, light fabric, cardboard, wallboard, or other light material, with or without frames, where either by reason of construction or purpose the sign is intended to be displayed for a short period of time only. (A maximum of six (6) months.)

Wall or Flat Sign: Any sign erected parallel to the face or on the outside wall of any building which projects out at any angle therefrom and projects no more than twelve (12) inches beyond the face of such wall.

SPECIAL EXCEPTION: A use which is specifically permitted if the owner can demonstrate to the satisfaction of the Board that it will meet certain standards, enumerated safeguards, or qualifying conditions.

STORY: That portion of a building included between the upper surface of any floor and the upper surface of the floor next above; or any portion of a building between the topmost floor and the roof which is used for human occupancy in which the floor area with eight (8) feet or more head clearance equals fifty (50) percent or more of the floor area of the next story below. Provided it is not used as a dwelling unit, a top floor in which the floor area with eight (8) feet or more of head clearance equals less than fifty (50) percent of the floor area of the story next below shall be a "half-story". A basement shall be considered as a story if more than half of its height is above the average ground level from which the "height of a building" is measured or if it is used for commercial purposes.

STREET: A public road, highway, or thoroughfare which constitutes, or is designed to constitute, the main access to more than one (1) lot and which has been legally dedicated and accepted for public use.

STRUCTURE: Any combination of materials, including buildings, constructed or erected, the use of which requires location on the ground or attachment to anything having location on the ground and including among other things, signs, billboards, and fences.

TOXIC MATERIALS: Materials (gaseous, liquid, solid, particulate) which is capable of causing injury to living organisms by chemical reaction even when present in relatively small amounts.

TRACTOR TRAILER RIG: A motor powered truck tractor vehicle, factory or reconstructively designed, to be attached to a semi-trailer and when so attached is utilized as a mobile rig to transport, convey, or move freight, goods, products, and merchandise of all types on highways from one location to another generally for commercial and industrial purposes; the truck tractor vehicle is used primarily for drawing other nonmotive vehicles and not so constructed to carry a load other than a part of the weight of the vehicle and the load so drawn.

USED: The purpose for which land or a building or other structure is designed, arranged or intended, or for which it is or may be occupied or maintained.

YARD: An open space on the same lot with a principal building, open, unoccupied, and unobstructed by buildings from the ground to the sky, except as otherwise provided in this ordinance, provided that accessory buildings may be located in a rear yard.

YARD, FRONT: The yard extending across the entire width of the lot between the nearest part of the nearest part of the principal building, including porches, and the front lot line.

YARD, REAR: The yard extending across the entire width of the lot between the nearest part of the principal building, including porches, and the rear lot line.

YARD, SIDE: The required space unoccupied, except as herein provided, measured between the side the side lot line and the nearest point of the principal building and between the front yard and the rear yard.

2.030 USE CLASSIFICATION SYSTEM

The provisions of this section shall be known as the use classifications. The purpose of these provisions is to classify land uses into a number of specifically defined types on the basis of common functional characteristics and similar compatibility with other uses, thereby with criteria which are directly relevant to the public interest.

A. Listing of Activity Classifications

All activities are hereby classified into the following activity types:

1. Residential Activities

a. Permanent

**Dwelling, Single Detached
Dwelling, Duplex
Dwelling, Mobile Home
Dwelling, Multi-Family
Mobile Home Park**

b. Semi-Permanent

**Boarding House
Rooming House**

2. Community Facility Activities

Administrative
Community Assembly
Community Education
Cultural and Recreation Services
Essential Service
Extensive Impact
Health Care
Intermediate Impact
Personal and Group Care Facilities
Religious Facilities

3. Commercial Activities

Animal Care and Veterinarian Services
Automotive Parking
Automotive Service and Repair
Building Materials and Farm Equipment
Consumer Repair Services
Construction Sales and Services
Convenience Commercial
Entertainment and Amusement Services
Financial, Consulting, and Administrative
Food and Beverage Service
Food Service - Drive-In
General Business and Communication Services
General Personal Service
General Retail Trade
Group Assembly
Medical and Professional Services
Transient Habitation
Transport and Warehousing
Undertaking Services
Vehicular, Craft, and Related Equipment Sales,
Retail and Delivery
Wholesale Sales

4. Manufacturing Activities

Extensive
Intermediate
Limited

5. Agricultural, Resources Production, and Extractive Activities

Agricultural Services
Commercial Feed Lots and Stockyards
Crop and Animal Raising
Mining and Quarrying
Plant and Forest Nurseries

B. Accessory Uses

In addition to the principal activities expressed above, each activity type shall be deemed to include activities customarily associated with, and appropriate, incidental, and subordinate to the principal activity. The accessory uses permitted are presented with the regulation section of each district as set forth in this resolution.

C. Residential Activities

1. Permanent Residential

The occupancy of living accommodations on a monthly or longer basis with none of the living units under the same ownership or management on the same zone lot being occupied on a less-than-monthly basis. This shall not include institutional living arrangements involving the provision of any kind of special care or forced residence such as nursing homes, orphanages, asylums, half-way houses or prisons, except as provided by general law of the state. The following dwelling types as defined by this resolution are permanent residential activities; however, only those dwelling types as indicated by individual regulations may be permitted therein.

Dwelling, Single Detached

Dwelling, Duplex

Dwelling, Mobile Home

Dwelling, Multi-Family Apartment, Townhouse

Mobile Home Park

2. Semi-Permanent Residential

The occupancy of living accommodations partly on a monthly or longer basis and partly for a shorter time period, but with less than thirty (30) percent of the living units under the same ownership or management on the same zone lot being occupied on a less-than-monthly basis. This shall not include institutional living arrangements involving the provision of a special kind of care or forced residence, such as nursing homes, orphanages, asylums, half-way houses, and prisons, except as provided by general law of the state. The following dwelling or rooming unit types as defined by this resolution are considered as semi-permanent residential activities; however, only those dwelling or rooming unit types as indicated by individual district regulations may be permitted therein.

Boarding House

Rooming House

D. Community Facility Activities

1. Administrative Services

The activities typically performed by public, utility, and nonprofit private administrative offices. These activities would include:

City, County, State, and Federal Offices
Civil Defense Facilities
Court Buildings
Fire Department Facilities
Police Department Facilities
Post Offices

2. Community Assembly

The activities typically performed by or at institutions and installations for various social, athletic, and recreational purposes. These activities do not include facilities primarily utilized for profit. They would include:

Civic, Social, Fraternal, and Philanthropic Associations
Private (nonprofit) Clubs, Lodges, Meeting Halls, and
Recreation Centers
Temporary Nonprofit Festivals

3. Community Education

The activities typically performed by the following institutions:

Kindergarten, Primary and Secondary Schools
Public and Private Nursery Schools

4. Cultural and Recreational Services

The activities of a cultural or recreational nature which are either owned by, or operated for the use and enjoyment of, the general public. This does not embrace such facilities which are privately owned and operated for profit. These activities would include:

Art Galleries
Libraries
Museums
Parks, Playgrounds, and Playfields
Planetariums and Aquariums
Recreational Centers and Gymnasiums
Swimming Pools and Beaches
Zoological and Botanical Gardens

5. Essential Services

Includes the maintenance and operations of the following installations:

Electrical and Gas Substations
Electric, Gas, Water, and Sewer Distribution and Collection Lines
Pumping Facilities for Water and Sewer Systems
Rights-of-Way for Transportation Modes
Telephone Switching Facilities

6. Extensive Impact Facilities

The activities that have a high degree of impact upon surrounding land uses due to their hazards or nuisance characteristics, as well as traffic generation, parking, and land requirements and typically performed by, or the maintenance and operation of, the following institutions and installations:

Airports, Air Cargo Terminals, Heliports, or Other Aeronautical Devices
Correction and Detention Institutions
Electricity Generating Facilities and Transmission Lines
Garbage Incineration Plants, Including Cogeneration Facilities; Sanitary Landfills
Major Fuel Transmission Lines and Facilities
Major Mail Processing Centers
Military Installations
Public and Private Utility Corporations and Truck Yards, Including Storage Yards
Railroad Yards and Other Transportation Equipment Marshaling and Storage Yards

7. Health Care-Facilities

Includes the activities typically performed by the following institutions, but not including the offices, clinics, etc., of private physicians or other health care professionals:

Convalescent Homes
Hospitals
Medical Clinics

8. Intermediate Impact Facilities

The activities that have a significant effect upon surrounding land uses due to their traffic generation characteristics, parking requirements, land requirements, or potential nuisances and typically performed by, or the maintenance and operation of, the following institutions or installations.

Cemeteries, Columbariums, and Mausoleums
Colleges, Junior Colleges, and Universities, but
Excluding Profit-Making Business Schools
Commercial Boat Docks, Marinas, and Yacht Clubs
Country Clubs
Golf Courses
Radio and TV Transmission Facilities
Water Storage Facilities, Water and Sewage
Treatment Plants

9. Personal and Group Care Facilities

The activities and facilities to provide for the care of preteenage children, disabled and handicapped persons needing special care or supervision, care for the elderly and other individuals requiring supervised care, but excluding facilities for delinquent, criminally dangerous, or psychotic people. These activities would include:

Associations for Physically or Mentally
Handicapped Persons
Day Care Centers
Group Homes for Physically or Mentally
Handicapped Persons
Nursing Homes
Orphanages
Retirement or Rest Homes

10. Religious Facilities

The activities or facilities utilized by various religious organizations for worship or community service functions, but excluding any facility the primary functions of which is to produce products or printed matter for sale or general distribution. The activities include:

Chapels
Churches
Convents or Monasteries
Sanctuaries
Synagogues
Temples

E. Commercial Activities

1. Animal Care and Veterinarian Services

Include the provision of animal care, treatment, and boarding services.

Veterinarian Clinics and Kennels

2. Automotive Parking

Includes the parking and/or storage of motor vehicles, but excluding junk or scrap vehicles.

**Auto Parking Lots
Parking Garages**

3. Automotive Services and Repair

Includes the sale, from the premises, of goods and the provision of services which are generally required in the operation and maintenance of automotive vehicles and the fulfilling of motorist needs, as well as clean-up, painting and repair of automotive vehicles, including body work and installation of accessories.

**Auto Cleaning and Repair Services
Auto Glass Repair and Replacement Shops
Auto Inspection and Diagnostic Services
Auto Paint Shops
Auto Towing Services
Car Washes
Gasoline, Fuel, and Oil Sales and Service
Radiator and Muffler Shops
Tire Retreading and Repair Shops
Wheel alignment and Transmission Repair Shops**

4. Building Materials and Equipment

Includes the retail and wholesale sales and storage of materials used in the construction of buildings and other structures as well as the retail and wholesale sale and storage of implements, equipment, feed and seed used in agricultural pursuits.

**Farm Equipment and Supplies
Feed Milling and Sales
Heating, Plumbing, and Electrical Supplies
Lumber and Other Building Material Dealers
Retail Nurseries, Lawn and Garden Supply Stores
Seed Storage and Sales**

5. Consumer Repair Services

Include the servicing and repair of appliances, furniture, and equipment generally used or owned by individuals, not including the repair of any type of automobile.

**Blacksmith Shops
Electrical Repair Shops
Gunsmith Shops
Instrument Repair Shops**

**Lawn Mower Repair Shop
Locksmith Shops
Office Equipment Cleaning and Repair
Refrigeration and Air Conditioning Repair
Reupholster and Furniture Repair
Saddlery Repair Shops
Watch, Clock, and Jewelry Repair**

6. Construction Sales and Services

Includes the offices, buildings, and shops of various types of contractors as well as incidental on-site construction and storage.

**Builder's Hardware
Carpentering Contractors
Concrete Contractors
Excavation Contractors
General Building Contractors
Glazing Contractors
Highway and Street Construction Contractors
Masonry, Stonework, Tile Setting, and
Plastering Contractors
Painting, Paper Hanging, and Decorating Services
Plumbing, Heating, and Electrical Contractors
Roofing and Sheet Metal Contractors**

7. Convenience Commercial

Includes the retail sale, from the premises, of groceries, drugs, and other frequently needed personal convenience items, as well as the provision of personal convenience services which are typically needed frequently or recurrently provided than no establishment shall exceed five thousand (5,000) square feet of gross floor area.

**Barber Shops
Beauty Shops
Drug Stores
Fruit and Vegetable Markets
Grocery Stores
Hardware Store (No outside storage)
Laundry and Dry Cleaning Pick-Up Stations
Liquor Stores
News Stands
Self-Service Gasoline Pumps
Tobacco Shops**

8. Entertainment and Amusement Services

Include the provisions of cultural, entertainment, educational, and athletic services, other than those classified as Community Facility Activities, to assemble groups of spectators or participants.

Art Galleries (Commercial)
Batting and Golf Driving Ranges
Bowling Alleys and Billiard Parlors
Coin Operated Amusement Arcades
Dance Halls and Studios
Exhibition Halls and Auditoriums
Recording and TV Production Services
Skating Rinks
Theaters
Theatrical Producers, Bands, Orchestras, and Entertainers

9. Financial, Consulting, and Administrative Services

Include the provision of financial, insurance, and real estate brokerage services, as well as advice, designs, information, or consultations of a professional nature (other than those classified as Community Facility Activities, Medical and Professional Service, or Business and Communication Services). These also include the executive management, or administrative activities of private, profit oriented firms but exclude the sale and/or storage of goods or chattel, unless otherwise permitted by this resolution.

Agricultural Credit, Institution
Banking and Bank-Related Functions
Credit Unions
Holding and Investment Organizations
Insurance Carriers, Agents, Brokers, and Service
Money Management and Investment Offices
Real Estate Brokers, Managers and Appraisers
Rediscount and Financing Institutions for Credit Agencies
Other Than Banks
Savings and Loan Associations
Securities Commodities, Brokers, Dealers, and Exchanges
Title Offices

10. Food and Beverage Service

Include the retail sale of prepared food or beverages for primarily on-premises consumption within the principal structure on the zone lot.

Restaurants
Taverns

11. Food Service-Drive-In

Includes the retail sale of prepared food or beverages for either home or on premise consumption either within the principal structure or within a parked car on the same zone lot.

Drive-In Restaurants
Fast Food Restaurants with Drive-Thru Service

12. General Business and Communication Services

Include the provision of service of a clerical, goods brokerage, and communications of a minor processing nature, copying and blueprinting services, custom printing (except, books) but exclude the sale and/or storage of goods and chattel, unless otherwise permitted by this resolution.

Advertising Agencies and Services

Commercial Cleaning Services

Commercial Testing Laboratories

Communications Services:

Radio and Television Broadcasting Studios

Telegraph Offices and Message Centers

Telephone Exchanges and Relay Towers

Television and Recording Production Studios

Computer and Data Processing Services

Credit Reporting, Adjustment, and Collection Agencies

Detective Agencies and Protective Services

Drafting Services

Employment, Personnel, and Temporary Help Services

Exterminating Services

Interior Decorator and Consulting Services

Mailing Reproduction, and Commercial Art Services

Management, Consulting, and Public Relations Services

Membership Organizations:

Automobile Clubs

Better Business Bureaus

Chamber of Commerce

Labor Unions

Political Organizations

Professional Associations

News Syndicates.

Photofinishing Services

Research and Development Laboratories

Trading Stamp Services

Travel Agencies

Vehicular and Equipment Rental and Leasing Services

13. General Personal Service

Include the provision to individuals of informational and instructional services as well as the provision of care and maintenance for personal items. These activities do not include the storage or sale of goods or chattel, unless otherwise permitted herein.

Catering Services

Laundry, Cleaning, and Garment Services

Miscellaneous Personal Services:

Clothing Rental Agencies

Health Spas

Photographic Studios
Shoe Repair and Hat Cleaning Shops
Special Training and Schooling Services:
 Art and Music Schools
 Barber and Beauty Schools
 Business Schools
 Dancing Schools/exercise Studios
 Driving Schools

14. General Retail Trade

Includes the retail sales or rental from the premises, primarily for personal or household use, of goods and/or services, but excluding goods and services listed in the other classifications herein.

Antique and Second Hand Merchandise Stores
Automotive Parts (No Exterior Storage)
Book and Stationery Stores
Camera Stores
Candy, Nut and Confectionery Stores
Children's and Infant's Stores
Dairy Products Stores
Department Stores
Drapery, Curtain, and Upholstery Stores
Drug Stores and Proprietary Stores
Family Clothing Stores
Floor Covering Stores
Florists
Fruit Stores and Vegetable Markets
Furniture Stores
Furriers and Fur Shops
Gift Shops
Grocery Stores
Hardware Stores
Hobby, Toy, and Game Stores
Household Appliance Stores
Jewelry Stores
Liquor Stores
Luggage Shops
Meat and Seafood Markets
Men's and Boy's Clothing and Furnishing Stores
Miscellaneous Apparel and Accessory Stores:
 Bathing Suit Stores
 Custom Tailors
 Shirt Shops
 Sports Apparel Stores
 Uniform Stores
Miscellaneous General Merchandise Stores:
 Direct Selling Organizations
 Mail Order Houses

Miscellaneous Home Furnishings Stores:
Bedding and Linen Stores
Cookware Stores
Glassware and China Shops
Lamp and Shade Shops
Paint and Wallpaper Stores
Music Stores
News Stands
Radio and Television Stores
Retail Bakeries
Sewing and Piece Goods Stores
Shoe Stores
Sporting Goods Stores
Tobacco Shops
Variety Stores
Women's Accessory and Specialty Stores
Women's Ready-to-Wear Store

15. Group Assembly

Includes the provision of cultural, entertainment, educational, and athletic services, other than those classified as Community Facilities, to large groups of assembled spectators and/or participants (five hundred (500) or more) or that have a substantial potential impact upon adjoining property.

Amusement Parks
Commercial Camp Grounds
Commercial Resorts
Commercial Sports Arenas and Playing Fields
Drag Strips
Race Tracks (Auto, Motorcycle, Dog, and Horse)

16. Medical and Professional Services

Include the provision of therapeutic, preventative, or corrective personal treatment services by physicians, dentists, and other practitioners, as well as testing and analysis and the offices of various other professionals the service of which is provided in an office environment.

Accounting, Auditing, and Bookkeeping Services
Artists Studios (excluding Commercial Artists)
Attorneys and Law Offices
Chiropractors Offices
Consulting Scientists
Dental Offices and Laboratories
Educational and Scientific Research Services
Engineering and Architectural Services
Optometrists

Physicians' Offices and Clinics (Out-Patient Services)
Psychologists and Psychotherapists
Songwriters and Music Arrangers
Urban Planning Services
Writers and Lecturers

17. Transient Habitation

Includes the provision of lodging services to transient guests, having at least seventy (70) percent of its accommodations available on a less-than-weekly basis, other than those classified as Residential Activities:

Hotels
Motels
Tourist Courts

18. Transport and Warehousing

Includes the provision of warehousing, storage, freight handling, shipping, and trucking services.

Bus and Truck Maintenance and Repair
Food Lockers
General Warehousing
Household Goods Storage
Packing and Crating Services
Railroad, Bus and Transit Terminals
Refrigerated Warehousing
Truck Terminals and Freight Handling Services

19. Undertaking Services

Include the provision of undertaking and funeral services involving the care and preparation of the human deceased prior to burial.

Funeral and Crematory Services

20. Vehicular, Craft, and Related Equipment

Includes the retail or wholesale sale or rental from the premises of vehicular and related equipment with incidental maintenance.

Boat and Motor Dealers
Mobile Home Dealers
Motor Vehicle Dealers
Motorcycle Dealers
Recreational Vehicle and Trailer Dealers

21. Wholesale Sales

Include the storage and sale from the premises of goods to other firms for resale, as well as the storage of goods and their transfer to retail outlets; but exclude sale or storage of motor vehicles, except for parts and accessories. These would include such uses as:

Apparel, Piece Goods, and Notions
Beer, Wine, and Distilled Alcoholic Beverages
Chemicals and Allied Products
Drugs, Drug Proprietaries, and Sundries
Electrical Goods and Appliances
Farm Products Raw Materials
Farm Supplies
Furniture and Home Furnishings
Groceries and Related Products
Hardware, Plumbing, and Heating Equipment and Supplies
Lumber and Other Construction Materials
Machinery, Equipment, and Supplies
Metals and Minerals
Motor Vehicles and Automotive Parts and Supplies
Paints, Varnishes, and Supplies
Paper and Paper Products
Petroleum and Petroleum Products
Sporting, Recreational, Photographic, and Hobby Goods
Tobacco and Tobacco Products
Toys and Supplies

22. Activity Type - Adult Entertainment Establishments

a. Intent and Limitations

This grouping is intended to include all “adult oriented businesses” and activities defined by this ordinance. This grouping includes all facilities wherein material is presented or exhibited which is distinguished or characterized by an emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical areas” as defined by this ordinance for observation by patrons therein.

b. Use Listing

Adult Arcade
Adult Bookstore
Adult Mini-Motion Picture Theater
Adult Motion Picture Theater

F. Manufacturing Activities

Manufacturing activities include the on-site production of goods by methods other than agricultural or extractive in nature.

1. Limited Manufacturing Activities

Include the following operations:

- a. The manufacture, compounding, processing, assembling, packaging, treatment, or fabrication of the following products:

**Apparel and Apparel Accessories
Art Objects
Bakery Goods
Beverages (Nonalcoholic)
Dairy Products
Instruments for Medical, Dental, Engineering,
Scientific, and Other Professional Purposes
Optical Instruments and Loans
Printed Matter
Signs**

- b. Activities and operations which include the following:

**Book Binding
Data Processing Service
Photocopying
Photoengraving
Precision Machining of Dies, Jigs, and Fixtures
Printing
Publishing
Record Pressing
Upholstering
Welding**

2. Intermediate Manufacturing Activities

Include the following:

- a. The manufacture, compounding, assembling, packaging, treatment or fabrication of all products, **except for the following:**

**Cotton Seed Oil
Explosives
Fireworks
Organic Fertilizers**

- b. All manufacturing activities and, operations, **except for the following:**

**Abrasive, Asbestos, and Nonmetallic
Mineral Processing
Arsenals
Asphaltic Cement Plants
Atomic Reactors**

**Automobile Wrecking Yards, Scrap and
Waste Materials
Cement and/or Concrete Plants
Chemical Manufacturing in excess one (1) per day.
Cotton Ginning
Fat Rendering
Foundries
Grain Milling,
Junk Yards
Offal Processing
Ore Reduction
Paper Mills
Petroleum Refining
Pulp Manufacturing
Radioactive Materials Waste Handling
Rolling and Finishing of Ferrous Materials
Slaughtering of Animals
Smelting and Refining of Metals and Alloys
Steel Works (other than those listed)
Tanning
Waste Disposal by Compacting or Incineration,
as a principal use**

3. Extensive manufacturing Activities Materials

Include all Intermediate Manufacturing Activities (described above) and the exceptions listed above, except as follows:

**Arsenals
Atomic Reactors
Explosives Manufacturing and Storage
Fireworks Manufacturing
Hazardous Wastes Storage and/or Transfer
Radioactive Waste Handling**

The above exceptions may be defined to be included within the Extensive Manufacturing Classification only after proper review by the Board of Appeals.

G. Agricultural, Resource Production, and Extractive

1. Agricultural Services

Include various activities designed to provide needed services for agricultural activities and are appropriately located in close proximity, thereto.

**Crop Drying, Storage, and Processing
Crop Planting, Cultivating, and Protection Services
Horticultural Services
Livery Stables
Riding Stables
Soil Preparation Services**

2. Commercial Feed Lots and Stockyards

Include facilities and operations involved in the storage and feeding (other than pasture grazing) of animals for resale or slaughter.

3. Crop and Animal Raising

Includes the raising of tree, vine, field, forage, and other plant crops intended to provide food or fiber, as well as keeping, grazing, or feeding animals for animal products, animal increase, or value increase, but specifically excluding commercial feed lots and facilities for the processing, packaging, or treatment of agricultural products.

Dairies

Farms

Raising of Plants, Animals, and Fish

Truck Gardens

4. Mining, Drilling, and Quarrying

Includes operations and facilities either utilized by, or in support of the extraction of minerals, ores, petroleum, and natural gas or in the quarrying and collection of stone, gravel, sand, clay, and other nonmetallic minerals.

Chemical Fertilizer and Nonmetallic Mineral Mining

Clay, Ceramic, and Refractory Minerals

Coal Mining

Crude Petroleum and Natural Gas Production

Metal Ore and Mineral Mining

Sand and Gravel Quarrying

Stone Quarrying

5. Plant and Forest Nurseries

Include the cultivation for sale of horticultural specialties, such as flowers, and trees, intended for ornamental, or tree planting purposes.

Forest Nursery

Plant Nursery

HEIGHT, DENSITY, LOT SIZE AND OPEN SPACE REQUIREMENTS WITHIN RESIDENTIAL DISTRICTS

	----- DISTRICTS -----				
	A-R	R-1	R-2	R-3	R-4
I. MAXIMUM LOT COVERAGE BY ALL BUILDINGS (as % of Total Lot Area)	15	15	30	40	50
II. MINIMUM ZONE LOT REQUIREMENTS					
A. Area (in Acres or Square Feet)	3 acres ⁽¹⁾	40,000 ⁽¹⁾	30,000 ^{(1) (2)}	30,000 ^{(1) (3) (7)}	30,000 ^{(1) (3) (7)}
B. Width (in Feet, Measured at the Building Line)	150 ⁽⁴⁾	150 ⁽⁴⁾	100 ⁽⁴⁾	75 ^{(4) (6)}	60 ^{(4) (6)}
III. DEVELOPMENT AREA PER DWELLING OR ROOMING UNIT (in Square Feet)	N/A	N/A	N/A	30,000 ⁽⁸⁾	7,500 ⁽⁹⁾
IV. MAXIMUM HEIGHT (in Feet)	35	35	35	35	35
V. MINIMUM YARD REQUIREMENTS (in Feet)					
A. Single Family Residential Buildings					
1. Front	75 ⁽¹⁾	50 ⁽¹⁾	50 ^{(1) (2)}	40 ^{(1) (3)}	40 ^{(1) (3)}
2. Side	30 ⁽¹⁾	20 ⁽¹⁾	20 ^{(1) (2)}	15 ^{(1) (3)}	15 ^{(1) (3)}
3. Rear	50 ⁽¹⁾	25 ⁽¹⁾	25 ^{(1) (2)}	20 ^{(1) (3)}	20 ^{(1) (3)}
B. Community Facility and Mixed Use Buildings					
1. Front	100	75	75	60	60
2. Side	50	40	40	40	40
3. Rear	50	40	40	40	40

NOTES:

- (1) Lots Without Public Water Have a Minimum Lot Size of Five (5) Acres with the Following Yard Requirements: Front Setback 100 Feet; Side Setback 40 Feet and Rear Setback 75 Feet.
- (2) Lots Attaching to Public Sewer May Be Reduced to 22,000 Square Feet with the Following Yard Requirements: Front Setback 40 Feet; Side Setback 15 Feet and Rear Setback 75 Feet.
- (3) Lots Attaching to Public Sewer May Be Reduced to 20,000 Square Feet with the Following Yard Requirements: Front Yard Setback 35 Feet; Side Setback 15 Feet and Rear Setback 15 Feet.
- (4) The Minimum Lot Width at the Building Setback Line for Five (5) Acre Lots is 250 Feet.
- (5) The Minimum Lot Width at the Building Setback Line for 2,000 Square Foot Lots is 125 Feet.
- (6) The Minimum Lot Width at the Building Setback Line for 20,000 Square Foot Lots is 100 Feet.
- (7) A Minimum Lot Size of Five (5) Acres with Public Water and Sewer is Required for Multi-Family Developments.
- (8) Multi-Family Developments only Require 9,000 Square Feet per Dwelling Unit.
- (9) Multi-Family Developments only Require 5,500 Square Feet per Dwelling Unit.

N/A = Not Applicable